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7 || Attorneys for Plaintiff
United States of America

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) Criminal Case No. 07CR3469-H
11 Plaintiff,) DATE: January 28, 2008
12 v.) TIME: 2:00 p.m.
13 MARIO BARRON-GALVAN,) Before Honorable Marilyn L. Huff
14 Defendant(s).)
15) (1) COMPEL DISCOVERY AND
16) PRESERVE EVIDENCE;
17) (2) DISMISS INDICTMENT DUE TO
18) MISINSTRUCTION OF THE
19) GRAND JURY;
20) (3) DISMISS INDICTMENT FOR
) FAILURE TO ALLEGUE
) ESSENTIAL ELEMENTS OF THE
) OFFENSE;
) (4) TO STRIKE SURPLUSAGE; AND
) (5) GRANT LEAVE TO FILE
) FURTHER MOTIONS
)
) TOGETHER WITH STATEMENT OF
) FACTS AND MEMORANDUM OF
) POINTS AND AUTHORITIES

22 COMES NOW the plaintiff, UNITED STATES OF AMERICA, by and through its counsel,
23 Karen P. Hewitt, United States Attorney, and William A. Hall, Jr., Assistant U.S. Attorney, and
24 hereby files its Response to Defendant's Motions in the above-referenced case. Said Response is
25 based upon the files and records of this case together with the attached statement of facts and
26 memorandum of points and authorities.

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2 DATED: January 22, 2008.

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Respectfully submitted,

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KAREN P. HEWITT
United States Attorney

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s/ William A. Hall, Jr.
WILLIAM A. HALL, JR.
Assistant United States Attorney

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